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OFFICE OF PETITIONS

In re Application of	:	
Handreck, et al.	:	DECISION GRANTING
Application No. 10/042,756	:	PETITION
Filed: November 6, 2002	:	
Attorney Docket No. FAULDING/001 CON	:	

This is a decision on the petition filed January 17, 2003, requesting that the continuing application under 37 CFR 1.53(b) of Gregory Paul Handreck et al., entitled "PAMIDRONATE SOLUTION" (attorney docket No. FAULDING/001 CON) be accorded a filing date of November 6, 2002 and assigned an application number.

The papers filed on January 17, 2003, included a copy of a postcard receipt bearing docket No. "FAULDING/001 CON" and acknowledging the filing in the Office on November 6, 2002, of a continuing application under 37 CFR 1.53(b) containing 12 pages of application, 10 pages of claims and a 3 pages of declaration. The November 6, 2002 filing was also accompanied by a copy of the prior application, 09/773,480, as shown by counsel's files.

The original papers identified on the postcard receipt cannot be located in the Office. However, in view of the evidence presented, it is concluded that the continuing application was filed in the Office on November 6, 2002, and later misplaced.

The petition to accord the continuing application a filing date of November 6, 2002, is granted. No petition fee is required. Application no. 10/042,756 has been assigned to the file.

Since the original application papers cannot be located in the Office, the duplicate papers received January 17, 2003, will be used for examination purposes.

Applicants should notify this office if the original papers are subsequently discovered in the Office so that the present

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duplicate file can be merged with the original papers and any duplicate filing fee refunded. Please refer to application no. 10/042,756 in all future correspondence.

The application will be forwarded to the Office of Initial Patent Examination for further processing. Additionally, the filing fee will be charged and a filing receipt will be issued.

Telephone inquiries concerning this matter may be directed to Petitions Attorney Edward Tannouse at (703) 306-9200.



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